



*John*

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/824,964	
	Filing Date	April 15, 2004	
	First Named Inventor	G. Ian Rowlandson	
	Art Unit	3766	
	Examiner Name	Jon Eric C. Morales	
Total Number of Pages in This Submission	3+	Attorney Docket Number	140822IT(5024-00138)

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Return Receipt Postcard
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<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	Remarks	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	Andrus, Scales, Starke & Sawall, LLP	
Signature	<i>Christopher M. Scherer</i>	
Printed name	Christopher M. Scherer	
Date	March 14, 2007	Reg. No. 50,655

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:		
Signature	<i>Melissa J. Cota</i>	
Typed or printed name	Melissa J. Cota	Date March 14, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (01-06)  
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Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

## FEE TRANSMITTAL For FY 2006

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT **\$180.00**

### Complete if Known

Application Number	10/824,964
Filing Date	April 14, 2004
First Named Inventor	G. Ian Rowlandson
Examiner Name	Jon Eric C. Morales
Art Unit	3766
Attorney Docket No.	140822IT(5024-00138)

### METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Account Deposit Account Number: **50.2401** Deposit Account Name: GE Medical Systems - IT

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

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### FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)

#### 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

#### 2. EXCESS CLAIM FEES

##### Fee Description

Each claim over 20 (including Reissues)

Fee (\$)	Small Entity Fee (\$)
50	25

Each independent claim over 3 (including Reissues)

200	100
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Multiple dependent claims

360	180
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Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
- 20	=	x	= \$0.00

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
- 3	=	x	= \$0.00

HP = highest number of independent claims paid for, if greater than 3.

#### 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100	=	/ 50 =	(round up to a whole number) x	= \$0.00

#### 4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Fees Paid (\$)

Other (e.g., late filing surcharge): Information Disclosure Statement Surcharge

\$180.00

#### SUBMITTED BY

Signature	<i>Christopher M. Scherer</i>	Registration No. (Attorney/Agent)	50,655	Telephone	414-271-7590
Name (Print/Type)	Christopher M. Scherer			Date	March 14, 2007

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/824,964  
Applicant : G. Ian Rowlandson et al.

Filed : April 15, 2004

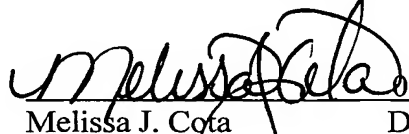
Title : SYSTEM AND METHOD FOR  
CORRELATING IMPLANT AND  
NON-IMPLANT DATA

TC/A.U. : 3766  
Examiner : Jon Eric C. Morales

Docket No. : 140822IT(5024-00138)

CERTIFICATE OF MAILING

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) correspondence is being deposited  
) with the United States Postal Service  
) with sufficient postage as first class  
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) 1450, Alexandria, VA 22313-1450,  
) on this 14<sup>th</sup> day of March, 2007.

)   
) \_\_\_\_\_ 03/14/2007  
Melissa J. Cota Date

SUBMISSION OF PRIOR ART REFERENCES

Mail Stop: Amendment  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Enclosed is a PTO Form 1449 as well as a copy of the non-U.S. patent references cited therein.

These references were originally cited in an Information Disclosure Statement filed May 24, 2004 pursuant to 37 C.F.R. §1.97(b). The Examiner indicated in a subsequent Office Action that the IDS failed to comply with 37 C.F.R. §1.98(a)(3) because there was no translation in accordance with MPEP 609.05, or relevance statement. This submission is in response to Examiner's comments in the Office Action.

Previously cited DE3303104 and FR2539978 are related to U.S. Application No. 4,499,904 which is noted on the PTO Form 1449 enclosed.

In response to the Examiner's comments in the previous Office Action, the Applicant respectfully submits the following relevancy statements for the remaining two foreign references:

03/16/2007 HVUONG1 00000016 502401 10824964

01 FC:1806 180.00 DA

DE 2604460 is entitled "Extended Time Cardiac Action Display – Has Shipped Registered a Source Sequentially Measured Cardiac Potentials," and is relevant to the present patent application in that Figures 1-9 may provide background information for the subject matter included in the present invention; and

DE 4024360 is entitled "Heart Frequency Classification Circuit – Compares Input Signal with Normal and Critical Threshold Values to Detect Abnormal Increase Rate." In addition to the potentially relevant Figures 1 and 2, the DE 4024360 includes a relevant classification circuit, using the variation rate of the heart frequency signal amplitude, that has two measuring comparitors (M1, M2) receiving the input signal (E) obtained from the heart beat and respective signal threshold values (A1, S2). The output of the first measuring comparator (M1) is fed to the data input of a history memory (H), receiving a clock signal (C) at its right input. The output of the history memory (H) is fed to a decoder circuit (D), in turn fed to memory element (SP), receiving the output of the second measuring comparator (M2) via a delay stage (V). The clock signal (C) may be fixed or programmable, or alternatively it is obtained from the supplied input signal. This solution provides simplified circuit allowing full scale integration.

The Applicants respectfully submits that the domestic patent number 4,499,904, and the two relevancy statements for DE 2604460 and DE 4024360 are in accordance with 37 C.F.R. §1.98(a)(3), and therefore, the Applicant respectfully submits that these references be considered by the Examiner.

Therefore, the Applicant respectfully submits that the presently submitted references are also now in compliance with §1.97(b) and §1.98(a)(3). The Applicant further submits that the appropriate fee is submitted herewith according to 37 C.F.R. §1.97(d)(2), including the fee set forth in §1.17(p).

The Commissioner is hereby authorized to charge the requisite \$180.00 fee and any additional fees in connection herewith to Deposit Account No. 50.2401. A duplicate copy hereof is enclosed.

Application No. 10/824,964  
Applicant: G. Ian Rowlandson et al.

The Examiner is invited to contact Applicant's undersigned attorney with any questions or comments, or otherwise to facilitate prosecution.

Respectfully submitted,

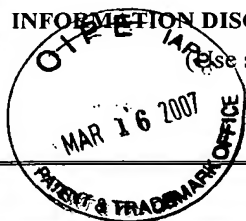
ANDRUS, SCEALES, STARKE & SAWALL, LLP



Christopher M. Scherer, Reg. No. 50,655

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Milwaukee, WI 53202  
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Form PTO-1449	U.S. Department of Commerce Patent and Trademark Office	Atty. Docket No. <b>140822IT(5024-00138)</b>	Appln. No.: <b>10/824,964</b>
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (Use several sheets if necessary)		Applicant <b>G. Ian Rowlandson</b>	
		Filing Date <b>April 15, 2004</b>	Group Art Unit <b>3766</b>



U.S. PATENT DOCUMENTS					
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		4,499,904	02/19/1985	Sidorenko, et al.	

FOREIGN PATENT DOCUMENTS						
		DOCUMENT NUMBER	DATE	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		DE 2604460	08/11/1977	Lampadius, M.		
		DE4024360	03/21/1991	Bondke et al.		

OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)		

EXAMINER	DATE CONSIDERED
*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance <u>and</u> not considered. Include copy of this form with next communication to client.	